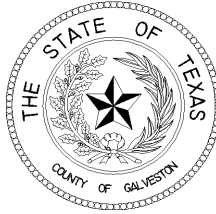


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Court Reporter  
409 765 2654

**KIMBERLY SULLIVAN**  
**PROBATE COURT JUDGE**  
Galveston County  
600 59<sup>th</sup> Street, Suite 2305  
Galveston, Texas 77551-4180

February 2, 2011

Dwight Sullivan  
County Clerk  
600 – 59<sup>th</sup> Street  
Galveston, Texas 77551

Re: Small Estate Affidavits

Dear Mr. Sullivan:

Small Estate Affidavits distributing the estate of a deceased person are being used more frequently. In order to assist the heirs, please note the following:

1. A Small Estate Affidavit cannot be used when the deceased has left a written will.
2. A Small Estate Affidavit cannot be used until 30 days following the decedent's death.
3. A Small Estate Affidavit cannot be used when the deceased is the Ward of a pending guardianship.
4. A Small Estate Affidavit cannot be used when there are existing debts or liabilities that remain unpaid and are not secured by liens or mortgages.
5. A Small Estate Affidavit cannot be used unless they are fully completed with no omissions.

Please share this information with the parties to assist them in determining if a Small Estate Affidavit is a legal option.

Very truly yours,

Kimberly Sullivan